

City Clerk File No. Ord. 17-006

Agenda No. 3.A. 1st Reading

Agenda No. \_\_\_\_\_ 2nd Reading & Final Passage



## ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

offered and moved adoption of the following ordinance:

CITY ORDINANCE 17-006

**TITLE:** A FRANCHISE ORDINANCE VACATING A PORTION OF DEY STREET

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

**WHEREAS**, the City of Jersey City (the "City") may enact ordinances pertaining to public streets, thoroughfares and sidewalks located within the City; and

**WHEREAS**, the City is authorized pursuant to N.J.S.A. 40:67-1 et seq. and N.J.S.A. 40A:12-5 to establish, change the grade of or vacate any public street, highway, lane or alley, or any part thereof at the discretion of the City; and

**WHEREAS**, De Pren Realty Co., a company of the State of New Jersey, ("Petitioner") has filed a petition with the Municipal Council of the City of Jersey City requesting the vacation of a portion of Dey Street, which parcel is more particularly described by the metes and bounds description of the property to be vacated [Exhibit A], and depicted on the Right of Way Vacation Plan of Dey Street [Exhibit B] both attached to this Ordinance; and

**WHEREAS**, Dey Street is located within the City of Jersey City, County of Hudson, State of New Jersey; and

**WHEREAS**, the Petitioner owns a building and vacant land located at 232 Dey Street, Block 7501, Lot 1; and 185 Dey Street, Block 7506, Part of Lot 1; and

**WHEREAS**, there is no municipal or public need for this portion of Dey Street and the Petitioner now desires this portion of Dey Street be vacated; and

**WHEREAS**, the area being vacated is no longer necessary for general public use, and the rights of the public will not be injuriously or adversely affected by the requested vacation, and such vacation advances the public safety and welfare; and

**WHEREAS**, the City is authorized to vacate that portion of Dey Street as set forth in Exhibits A and B; and

**WHEREAS**, the Petitioner owns the property located on the adjacent lots immediately north and south of the desired portion of Dey Street to be vacated, more specifically identified as 232 Dey Street, and referred to as Block 7501, Lot 1; and 185 Dey Street, Block 7506 and Part of Lot 1 on the official Tax map of the City of Jersey City (the "Property"); and

**WHEREAS**, the desired portion of Dey Street to be vacated is a dead end street off Charlotte Avenue and not an active public right-of-way; and

**WHEREAS**, the Municipal Engineer and Municipal Traffic Engineer have reviewed and approved the proposed vacation of this portion of Dey Street; and

**WHEREAS**, said Petition has been duly advertised and proof of the giving of due notice of the Petition requesting enactment of this ordinance as required by law has been filed with the City Clerk, and the Municipal Council having held a public hearing thereon, and no objections having been made thereto; and

**WHEREAS**, these properties adjoin Dey Street where it dead ends off Charlotte Avenue; and

**WHEREAS**, the Petitioner has represented that the area has been used as a trucking terminal for many years; and

**WHEREAS**, the new owner intends to use the space for light manufacturing and storage for brand marketing events; and

**WHEREAS**, the public interest will be served by this Ordinance for Street Vacation as it will advance public safety, convenience, and welfare; and

**WHEREAS**, after due notice was given in accordance with the statute, a public hearing was held on the Petition filed by the Petitioner, to vacate the portion of Dey Street as previously described herein; and

**WHEREAS**, the Petitioner has made application to the Municipal Council of the City of Jersey City;

**NOW THEREFORE, BE IT ORDANIED** by the Municipal Council of the City of Jersey City that:

**Section I:** All parts or portions of Dey Street adjacent to Block 7501 Lot 1, commonly known as 232 Dey Street, and Block 7501, Part of Lot 1, commonly known as 185 Dey Street respectively, as hereinafter particularly described and as a shown and delineated on Exhibits A and B which are annexed to this Ordinance, be and the same are hereby vacated and included into Block 7501, Lot 1 and Block 7506, Part of Lot 1, and the public easement and rights therein be and the same are hereby extinguished, which parts of the aforesaid street are more particularly described in the metes and bounds descriptions contained in Exhibit A to this Ordinance, which incorporated herein by reference.

**Section II:** All costs and expenses related to the introduction, passage and publication of this Ordinance, including the preparation and mailing of any and all notices related to this ordinance upon property owners within 200 feet of the area to be vacated, shall be borne and paid by the Petitioner.

**Section III:** The Petitioner shall file this Ordinance and the Maps with the Register of the County of Hudson within sixty (60) days after the Ordinance becomes effective. Upon filing of this Ordinance, the maps and the description with the Hudson County Register, title to the vacated premises shall vest in Petitioner.

**Section IV:** This Ordinance is subject to the following:

- 1) In the event the utilities, if any, presently located under the roadway being vacated hereunder, are not moved to another location or abandoned in place, an easement in perpetuity reserved for the benefit of the City of Jersey, the Jersey City Municipal Utilities Authority and all public utility companies including any cable television company as defined in the "Cable Television Act", P.L. 1972, c. 186 (c.48:5A-1, et seq.) for the purpose of ingress and egress over and upon the area subject to this vacation ordinance in order to maintain, repair or replace existing utility facilities including water lines, sewer lines, gas lines, and telephone, electrical and cable television wire and poles which may be located either beneath or above the surface of the area subject to this vacation ordinance.
- 2) No buildings or structures of any kind may be constructed over the water or sewer utilities, if any, within this area subject to the easement without the consent of the Chief Engineer of the City of Jersey City and/or the Jersey City Municipal Utilities Authority unless and until those utilities are relocated and/or abandoned.
- 3) In the event that utilities, if any, presently lying in the portion of Dey Street being vacated hereby are relocated, then the easement otherwise created under Section IV (1), shall immediately terminate and the same shall be considered as abandoned by the respective utility company.

**Section V:** All Ordinances inconsistent herewith are hereby repealed.

**Section VI:** This Ordinance shall be part of Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this Ordinance codified and incorporated in the official copies of the Jersey City Code.

**Section VII:** This Ordinance shall take effect at the time manner provided by law.

**Section VIII:** This City Clerk and the Corporation Counsel are hereby authorized and directed to change any chapter numbers, article numbers and section numbers and section numbers in the event that the codification of this Ordinance reveals that there is conflict between those numbers and the existing code in order to avoid confusion and possible accidental repeal of the existing provisions.

APPROVED AS TO LEGAL FORM

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
Corporation CounselAPPROVED: \_\_\_\_\_  
Business AdministratorCertification Required ☐Not Required ☐

## **PETITION**

TO: The Mayor and Council of the City of Jersey City, New Jersey

Your Petitioner **De Pren Realty Co., A Corporation of the State of New Jersey**, ("Petitioner") having an address at 232 Dey Street, Jersey City, New Jersey, respectfully herein petitions the City of Jersey City;

**WHEREAS**, the Petitioner desires to vacate a portion of Dey Street, which parcel is more particularly described by Description of Property to be Vacated [Exhibit A], and depicted on the Right of Way Vacation Plan of Dey Street [Exhibit B], both prepared by Jeremy Klapper, P.L.S. of Behar Surveying Associates, PC, and attached hereto; and

**WHEREAS**, Dey Street is located within the City of Jersey City, County of Hudson, and State of New Jersey; and

**WHEREAS**, the desired portion of Dey Street to be vacated is located at the dead end, off Charlotte Avenue; and

**WHEREAS**, the Petitioner owns the property located on the lots adjacent to the desired portion of Dey Street to be vacated, more commonly known as a portion of Dey Street, and more specifically referred to as Block 7501, Lot 1 commonly known as 232 Dey Street and Block 7506, Part of Lot 1 commonly known as 185 Dey Street on the Official Tax Map of the City of Jersey City (the "Property"), a copy of the applicable Tax Map sheet is attached as [Exhibit C]; and

**WHEREAS**, the Petitioner operated a former commercial enterprise on the Property, and the new owner will use the space for light manufacturing and storage for brand marketing events; and

**WHEREAS**, the Petitioner will be conveying the adjoining parcels; and

**WHEREAS**, the existing property is vacant and constitutes that portion of Dey Street that constitutes a dead end off Charlotte Avenue; and

**WHEREAS**, the Owner of the adjoining parcel will be landscaping, fencing and maintaining the area to make an aesthetic improvement to this section of Jersey City; and

**WHEREAS**, the portion of Dey Street is no longer necessary for general public use, and the rights of the public will not be injuriously or adversely affected by the requested vacation; and the public interest will be served in that it will advance the public safety, convenience and welfare.

**NOW THEREFORE**, Petitioner hereby requests that the City of Jersey City adopt an ordinance, in substantially the form submitted with and made a part of this petition by reference,

which shall ordain the vacation of that area of Dey Street, as more particularly described on the Description of the Property to be Vacated, and depicted on the Right of Way Vacation Plan of Dey Street, both prepared by Jeremy Klapper, P.L.S. of Behar Surveying Associates, PC, attached as Exhibit A and Exhibit B, respectively.

Respectfully,

A handwritten signature in cursive script, appearing to read "E. P. O'Connell", written over a horizontal line.

Eugene P. O'Connell, Esq.  
Attorney for the Petitioner  
De Pren Realty Co.

Dated:

12-12-16



**185 Dey Street**

Tax Block 7506, Lot 1

City of Jersey City

Hudson County, N.J.

**Tract One**

**Being the same premises as described in Deed Book 4753, Page 306 except for a parcel of land labeled as "Parcel 31" as indicated on a map entitled, "New Jersey Department of Transportation, General Property Parcel Map, Route U.S. 1 & U.S. 9 (1953) Truck, Section 1, From Route U.S. 1 & U.S. 9 At West End of Pulaski Skyway To Tonnele Avenue Circle, Showing Existing Right of Way and Parcels to be Acquired in the City of Newark, County of Essex and in The Town of Kearny And City of Jersey City, County of Hudson, April 2003"**

**BEGINNING** at a point on the corner formed by the intersection of the easterly right-of-way line of Charlotte Avenue, a 65 feet wide right-of-way, and the southerly right-of-way line of Dey Street, a 60 feet wide right-of-way; running thence

1. South 66 degrees 42 minutes 50 seconds East, **South 66 degrees 15 minutes 03 seconds East as per Deed**, continuing along Dey Street, a distance of 180.25 feet, **199.84 feet as per Deed**, to a point on the northerly right-of-way line of Charlotte Avenue N.B. Ramp, **to the westerly right-of-way line of Amelia Street as per Deed**; thence
2. Continuing on Charlotte Avenue N.B. Ramp along a circular arc to the right that contains a radius of 303.477 feet, running in a general westerly direction, a distance of 4.05 feet, to a point of tangency; thence
3. North 87 degrees 58 minutes 44 seconds West, continuing along Charlotte Avenue N.B. Ramp, a distance of 135.25 feet, to a point of curvature; thence
4. Continuing on Charlotte Avenue N.B. Ramp along a circular arc to the right, that contains a radius of 63.976 feet, running in a general northwesterly direction, a distance of 51.16 feet, to a point along the said easterly right-of-way line of Charlotte Avenue; thence
5. North 22 degrees 31 minutes 17 seconds West, **North 22 degrees 59 minutes 04 second East as per Deed**, continuing along Charlotte Avenue, a distance of 49.12 feet, **100.00 feet as per Deed**, to the previously described point or place of **BEGINNING**.

Subject to easements and restrictions of record.

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**Address:** 61 Locust Lane (at the corner of Carlton Ave), East Rutherford, New Jersey 07073

**Phone:** (973) 778-0010 **Fax:** (973) 778-0027 **Email:** [contactus@beharsurveying.com](mailto:contactus@beharsurveying.com)

**Website:** [www.beharsurveying.com](http://www.beharsurveying.com)



**232 Dey Street**  
Tax Block 7501, Lot 1  
City of Jersey City  
Hudson County, N.J.

**Tract Two**

Being the same premises as described in Deed Book 4310, Page 226 except for a parcel of land labeled as "Parcel 34" as indicated on a map entitled, "New Jersey Department of Transportation, General Property Parcel Map, Route U.S. 1 & U.S. 9 (1953) Truck, Section 1, From Route U.S. 1 & U.S. 9 At West End of Pulaski Skyway To Tonnele Avenue Circle, Showing Existing Right of Way and Parcels to be Acquired in the City of Newark, County of Essex and in The Town of Kearny And City of Jersey City, County of Hudson, April 2003"

**BEGINNING** at a point on the corner formed by the intersection of the easterly right-of-way line of Charlotte Avenue, a 65 feet wide right-of-way, and the northerly right-of-way line of Dey Street, a 60 feet wide right-of-way; running thence

1. North 22 degrees 39 minutes 10 seconds East, **North 38 degrees 59 minutes East as per Deed**, continuing along Charlotte Avenue, a distance of 213.34 feet, to a point on the southerly right-of-way line of St. Pauls Avenue, a 60 feet wide right-of-way; thence
2. South 65 degrees 48 minutes 50 seconds East, **South 49 degrees 39 minutes East as per Deed**, continuing along St. Pauls Avenue, a distance of 50.00 feet, to a point on the division line of Tax Lot 1 & Tax Lot 2 as shown on the current Tax Assessment Maps of Jersey City; thence
3. South 22 degrees 38 minutes 53 seconds West, **South 38 degrees 58 minutes West as per Deed**, leaving St. Pauls Avenue continuing along the division line of Tax Lot 1 & Tax Lot 2, a distance of 105.00 feet, to a point on the corner of said lots; thence
4. South 65 degrees 48 minutes 50 seconds East, **South 49 degrees 32 minutes East as per Deed**, continuing along the division line of Tax Lot 1 & Tax Lot 2, a distance of 259.62 feet, **255.13 feet as per Deed**, to a point along the westerly right-of-way line of James Avenue, a 50 feet wide right-of-way; thence
5. South 23 degrees 12 minutes 21 seconds West, **South 40 degrees 28 minutes West as per Deed**, continuing along James Avenue, a distance of 60.05 feet, **103.77 feet as per Deed**, to a point on the northerly line of Charlotte Avenue N.B. Ramp, to a point on the northerly right-of-way line of Dey Street as per Deed; thence
6. Continuing on Charlotte Avenue N.B. Ramp along a circular arc to the right that contains a radius of 139.435 feet, running in a general southwesterly direction, a distance of 43.30 feet, to a point of compound curvature; thence
7. Continuing on Charlotte Avenue N.B. Ramp along a circular arc to the right that contains a radius of 303.477 feet, running in a general southwesterly direction, a distance of 12.00 feet, to the northerly right-of-way line of Dey Street; thence
8. North 66 degrees 42 minutes 50 seconds West, **North 50 degrees 24 minutes West as per Deed**, continuing along Dey Street, a distance of 274.74 feet, **305.16 feet as per Deed**, to the previously described point or place of **BEGINNING**.

Subject to easements and restrictions of record.

**Address:** 61 Locust Lane (at the corner of Carlton Ave), East Rutherford, New Jersey 07073

**Phone:** (973) 778-0010 **Fax:** (973) 778-0027 **Email:** contactus@beharsurveying.com

**Website:** www.beharsurveying.com

**Dey Street**

In between Tax Block 7501 &amp; 7506

City of Jersey City

Hudson County, N.J.

**Tract Three**

**Being the portion of Dey Street in between the parcels of land described in Deed Book 4753, Page 306 (Tax Block 7506, Lot 1) & Deed Book 4310, Page 226 (Tax Block 7501, Lot 1) and being further described as:**

**BEGINNING** at a point on the corner formed by the intersection of the easterly right-of-way line of Charlotte Avenue, a 65 feet wide right-of-way, and the former northerly right-of-way line of Dey Street, a 60 feet wide right-of-way; running thence

1. South 22 degrees 39 minutes 10 seconds East, leaving the northerly right-of-way and continuing along the extension of the easterly right-of-way line of Charlotte Avenue, 50.09 feet, to a bend in Charlotte Avenue; thence
2. South 22 degrees 31 minutes 17 seconds West, continuing along the extension of Charlotte Avenue, a distance of 9.91 feet, to a point on the former southerly right-of-way line of Dey Street; thence
3. South 66 degrees 42 minutes 50 seconds East, continuing along the former southerly right-of-way line of Dey Street, a distance of 180.25 feet, to a point along the Charlotte Avenue N.B. Ramp; thence
4. Continuing on Charlotte Avenue N.B. Ramp along a circular arc to the left that contains a radius of 303.477 feet, running in a general easterly direction, a distance of 111.99 feet, to a point on the former northerly right-of-way line of Dey Street; thence
5. North 66 degrees 42 minutes 50 seconds West, continuing along the former right-of-way of Dey Street, a distance of 274.74 feet, to the previously described point or place of **BEGINNING**.

Subject to easements and restrictions of record.

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**Address:** 61 Locust Lane (at the corner of Carlton Ave), East Rutherford, New Jersey 07073

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Tax Block 7501, Lot 1 & 7506, Lot 1  
City of Jersey City  
Hudson County, N.J.


**Consolidated Lot**

**Being the consolidation of Tracts 1-3 (Tax Block 7501, Lot 1 & Block 7506, Lot 1 & a portion of Dey Street) and being further described as:**

**BEGINNING** at a point on the corner formed by the intersection of the easterly right-of-way line of Charlotte Avenue, a 65 feet wide right-of-way, and the former northerly right-of-way line of Dey Street, a 60 feet wide right-of-way; running thence

1. North 22 degrees 39 minutes 10 seconds East, continuing along Charlotte Avenue, a distance of 213.34 feet, to a point on the southerly right-of-way line of St. Pauls Avenue, a 60 feet wide right-of-way; thence
2. South 65 degrees 48 minutes 50 seconds East, continuing along St. Pauls Avenue, a distance of 50.00 feet, to a point on the division line of Tax Lot 1 & Tax Lot 2 as shown on the current Tax Assessment Maps of Jersey City; thence
3. South 22 degrees 38 minutes 53 seconds West, leaving St. Pauls Avenue continuing along the division line of Tax Lot 1 & Tax Lot 2, a distance of 105.00 feet, to a point on the corner of said lots; thence
4. South 65 degrees 48 minutes 50 seconds East, continuing along the division line of Tax Lot 1 & Tax Lot 2, a distance of 259.62 feet, to a point along the westerly right-of-way line of James Avenue, a 50 feet wide right-of-way; thence
5. South 23 degrees 12 minutes 21 seconds West, continuing along James Avenue, a distance of 60.05 feet, to a point on the northerly line of Charlotte Avenue N.B. Ramp; thence
6. Continuing on Charlotte Avenue N.B. Ramp along a circular arc to the right that contains a radius of 139.435 feet, running in a general southwesterly direction, a distance of 43.30 feet, to a point of compound curvature; thence
7. Continuing on Charlotte Avenue N.B. Ramp along a circular arc to the right that contains a radius of 303.477 feet, running in a general southwesterly direction, a distance of 128.04 feet, to a point of tangency; thence
8. North 87 degrees 58 minutes 44 seconds West, continuing along Charlotte Avenue N.B. Ramp, a distance of 135.25 feet, to a point of curvature; thence
9. Continuing on Charlotte Avenue N.B. Ramp along a circular arc to the right that contains a radius of 63.976 feet, running in a general northwesterly direction, a distance of 51.16 feet, to a point along the said easterly right-of-way line of Charlotte Avenue; thence
10. North 22 degrees 31 minutes 17 seconds West, continuing along Charlotte Avenue, a distance of 59.03 feet, to a bend in Charlotte Avenue; thence
11. North 22 degrees 29 minutes 10 seconds East, continuing along Charlotte Avenue, a distance of 50.09 feet, to the previously described point or place of **BEGINNING**.

In accordance with a Right-of-Way Vacation Survey prepared by Behar Surveying Associates, PC dated November 30, 2016.

  
Jeremy A. Klapper  
Professional Land Surveyor  
New Jersey License No. 24GS04331800

**Address:** 61 Locust Lane (at the corner of Carlton Ave), East Rutherford, New Jersey 07073

**Phone:** (973) 778-0010 **Fax:** (973) 778-0027 **Email:** [contactus@beharsurveying.com](mailto:contactus@beharsurveying.com)

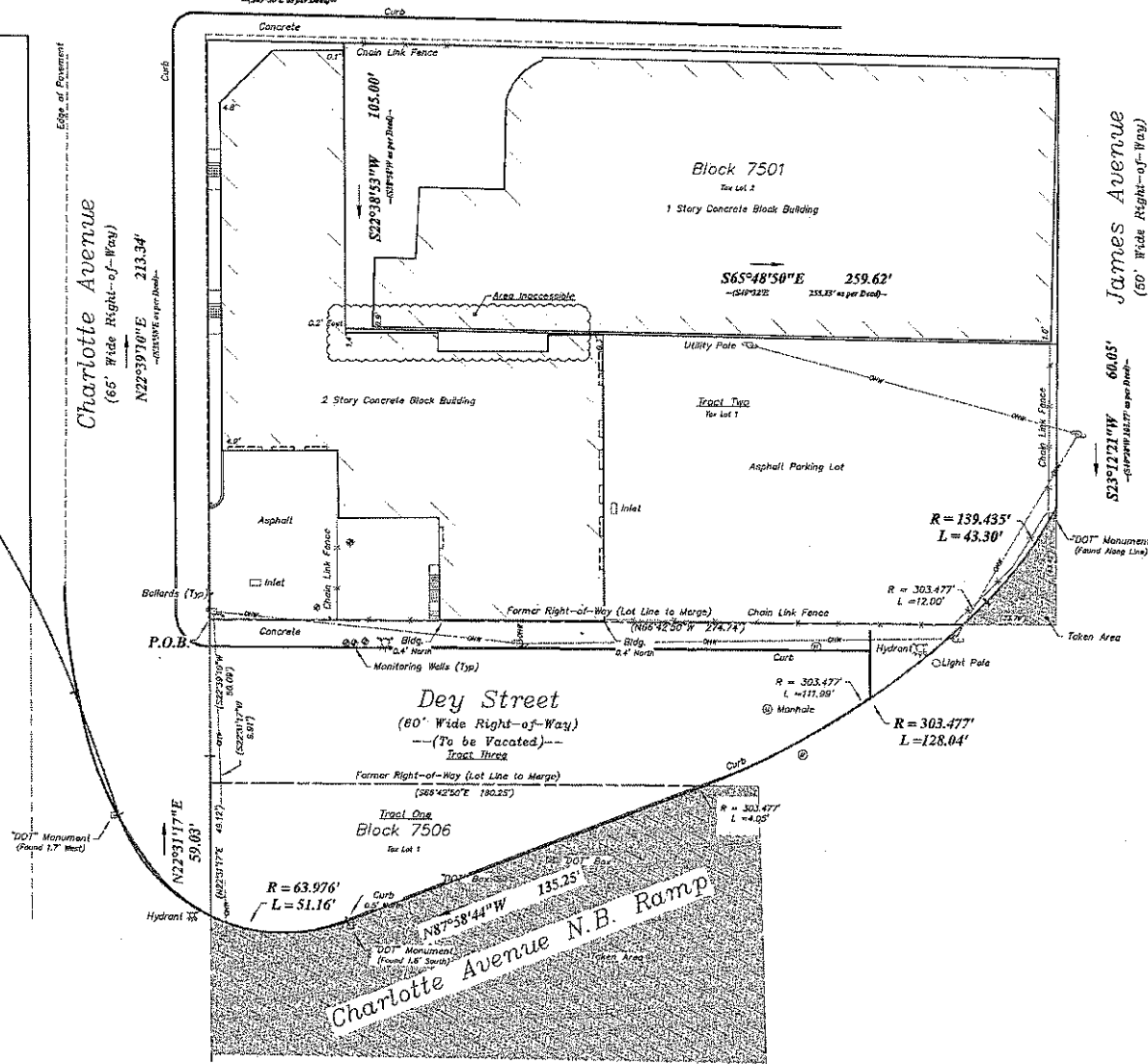
**Website:** [www.beharsurveying.com](http://www.beharsurveying.com)

# St. Pauls Avenue (60' Wide Right-of-Way)

S65°48'50"E 50.00'  
-0.40'±/100' as per Deed-

Charlotte Avenue  
(65' Wide Right-of-Way)  
N22°39'10"E 213.34'  
-0.015'±/100' as per Deed-

James Avenue  
(60' Wide Right-of-Way)  
S23°12'21"W 60.65'  
-0.16'±/100' as per Deed-



**Reference:**  
1. New Jersey Department of Transportation, Current Property Parcel Map, Route U.S. 1 & U.S. 9 (1953) Trunk Section 1, From Route U.S. 1 & U.S. 9 At West End of Palisade Street To Tomsco Avenue Circle, Showing Existing Right of Way and Parcels to be Acquired in the City of Newark, County of Essex and in the Town of Kearny And City of Jersey City, County of Hudson, April 2003.  
2. Boundary Survey of 185 & 232 Day Street, Jersey City, New Jersey prepared by Behar Surveying Associates, PC dated October 26, 2016.

**Note:** The three parcels are to be merged. The Block & Lot designations are to be assigned by the Tax Assessor of Jersey City.

Right-of-Way Location Survey For The Portion of Day Street Located At: 185 & 232 Day Street, City of Jersey City, Hudson County, New Jersey			
Tract/Block/Lot: 7501/1 & 7506/1	Dated: November 30, 2016	Scale: 1"=30'	
Deed Book/Page: 4330/775 & 4732/306	Order Number: 82A-18652(s)	Site Number: NR32279	

Subject to easements and restrictions of record.  
Only survey conditions are shown. The surveyor takes no responsibility for buried pipes, wires, vaults, walls and other utilities.  
This map or any part thereof is to be reproduced without written consent by Behar Surveying Associates, PC.  
This survey is certified as being true and correct under the solemn oath of the Surveyor.

- I, **William B. Klapper**, a Corporation of the State of New Jersey  
do hereby certify that I am a duly Licensed Professional Land Surveyor.

This certification is made only in person, cannot be used for purchase or mortgage of land, and is not valid for use of survey for a survey without review of property, or in any other person that is not a professional land surveyor.  
A written "Notice and Waiver" has been obtained from the client and is attached to this map.



**Behar Surveying Associates, PC**  
Land Surveying & Mapping Services  
61 Locust Lane, East Rutherford, NJ 07073  
Phone: 973-778-0010; Fax: 973-778-0027  
[www.bhasurveying.com](http://www.bhasurveying.com)

**William B. Klapper**  
Professional Land Surveyor  
NJ License No. 240503317500

**Jeremy A. Klapper**  
Professional Land Surveyor  
NJ License No. 340504331800  
NY License No. 050876

City Clerk File No. Ord. 17-018

Agenda No. 3.B 1st Reading

Agenda No. \_\_\_\_\_ 2nd Reading & Final Passage



## ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

offered and moved adoption of the following ordinance:

CITY ORDINANCE 17-018

TITLE:

AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE II (TRAFFIC REGULATIONS) AMENDING SECTION 332-5 (ONE-WAY STREETS) OF THE JERSEY CITY CODE DESIGNATING KEARNEY AVENUE FROM OCEAN AVENUE TO MARTIN LUTHER KING DRIVE AS A ONE WAY WEST

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

1. Chapter 332 (Vehicles and Traffic) Article II (Traffic Regulations) of the Jersey City Code is hereby supplemented as follows:

Section 332-5 ONE-WAY STREETS

The streets or parts of streets listed below are hereby designated as one way streets in the direction indicated.

Name of Street	Direction	Limits
Kearney Av	West	[ <i>Martin Luther King Dr</i> ] <u>Ocean Av</u> to Bergen Av

2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

3. This ordinance shall be a part of the Jersey City Code as though codified and incorporated in the official copies of the Jersey City Code.

4. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All new material to be inserted is underscored; material to be repealed is in [*brackets*].

JDS:pel  
(02.08.17)

APPROVED: \_\_\_\_\_  
Director of Traffic & Transportation

APPROVED AS TO LEGAL FORM

APPROVED: \_\_\_\_\_  
Municipal Engineer

APPROVED: \_\_\_\_\_  
Business Administrator

Certification Required ☐  
Not Required ☐

**ORDINANCE FACT SHEET -- NON-CONTRACTUAL**

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

**Full Title of Ordinance**

AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE II (TRAFFIC REGULATIONS) AMENDING SECTION 332-5 (ONE-WAY STREETS) OF THE JERSEY CITY CODE DESIGNATING KEARNEY AVENUE FROM OCEAN AVENUE TO MARTIN LUTHER KING DRIVE AS A ONE WAY WEST

**Initiator**

Department/Division	Administration	Engineering, Traffic and Transportation
Name/Title	Joao D'Souza at the request of Ray Reddington, Law Department	Director of Traffic & Transportation
Phone/email	201.547.4470	JOAO@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

**Ordinance Purpose**

The extension of the one way "west" on Kearny Avenue between Ocean Avenue and Martin Luther King Drive is necessary in connection with the HUB Municipal Annex Project.

Kearney Avenue will then be a one way "west" for the entire length which will be in the best interest of the public's safety as well as enhance the traffic circulation in the neighborhood.

I certify that all the facts presented herein are accurate.

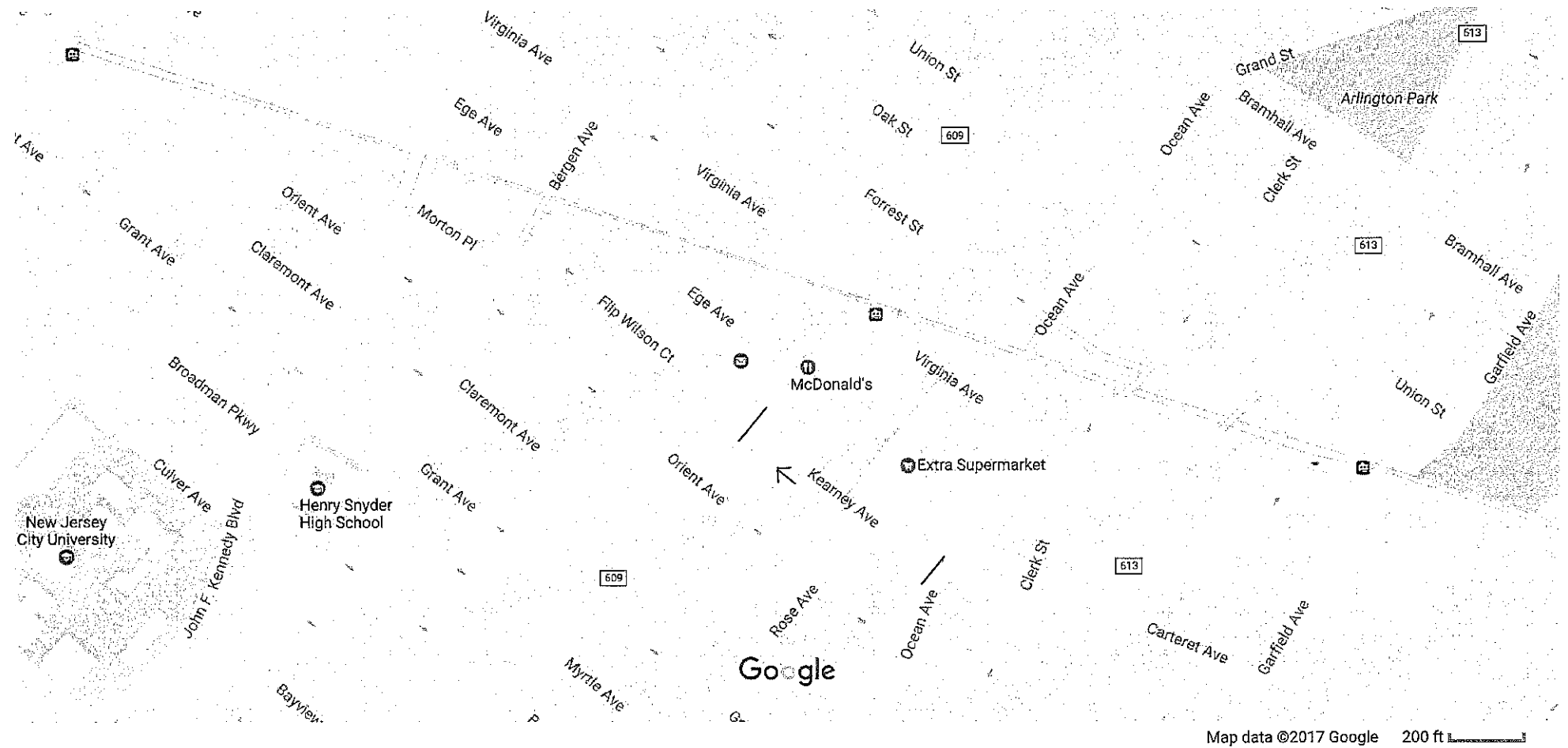
  
\_\_\_\_\_  
Director of Traffic & Transportation

Signature of Department Director

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Date

Google Maps



City Clerk File No. Ord. 17-019

Agenda No. 3.C 1st Reading

Agenda No. 2nd Reading & Final Passage



## ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE  
offered and moved adoption of the following ordinance:

CITY ORDINANCE 17-019

**TITLE:** AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE II (TRAFFIC REGULATIONS) SECTION 332-9 (STOP INTERSECTIONS) OF THE JERSEY CITY TRAFFIC CODE DESIGNATING THE INTERSECTIONS OF CARLTON AVENUE AND MONTROSE AVENUE; CONGRESS STREET AND NEW YORK AVENUE; AND MANILA AVENUE AND SECOND STREET AS MULTI-WAY STOP INTERSECTIONS

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

1. Chapter 332 (Vehicles and Traffic) Article II (Traffic Regulations) Section 332-9 (Stop Intersections) of the Jersey City Traffic Code is hereby supplemented as follows:

Section: 332-9 Stop Intersections.

The Intersections listed below are hereby designated as stop intersections. Stop signs shall be installed as provided therein.

Street 1 (Stop Sign On)	Direction of Travel	Street 2 (At Intersection)
<u>Carlton Av</u> Montrose Av	<u>East and West</u> North and South	<u>Montrose Av – multi</u> Carlton Av – <u>multi</u>
<u>Congress St</u> New York Av	<u>East and West</u> South	<u>New York Ave – multi</u> Congress St – <u>multi</u>
<u>Manila Av</u> Second St	<u>South</u> West	<u>Second St – multi</u> Manila Av – <u>multi</u>

2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
3. This ordinance shall be a part of the Jersey City Code as though codified and incorporated in the official copies of the Jersey City Code.
4. This ordinance shall take effect at the time and in the manner as prescribed by law.
5. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

**NOTE:** All new material to be inserted is underscored.

JDS:pcl  
(2.10.17)

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED:   
Director of Traffic & Transportation

APPROVED:   
Municipal Engineer

APPROVED: \_\_\_\_\_  
Business Administrator

Certification Required ☐  
Not Required ☐

**ORDINANCE FACT SHEET – NON-CONTRACTUAL**

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

**Full Title of Ordinance**

AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE II (TRAFFIC REGULATIONS) SECTION 332-9 (STOP INTERSECTIONS) OF THE JERSEY CITY TRAFFIC CODE DESIGNATING THE INTERSECTIONS OF CARLTON AVENUE AND MONTROSE AVENUE; CONGRESS STREET AND NEW YORK AVENUE; AND MANILA AVENUE AND SECOND STREET AS MULTI-WAY STOP INTERSECTIONS

**Initiator**

Department/Division	Administration	Engineering, Traffic and Transportation
Name/Title	Joao D'Souza	Director of Traffic & Transportation
Phone/email	201.547.4470	JOAO@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

**Ordinance Purpose**

The purpose of this Ordinance is to designate the following intersections as all way stop control:

1. Carlton Avenue and Montrose Avenue
2. Congress Street and New York Avenue
3. Manila Avenue and Second Street

Designating these intersections as all-way stop control will improve traffic safety and operational characteristics at each intersection based on a detailed review of traffic conditions and guidance outlined within the Manual on Uniform Traffic Control Devices published by the Federal Highway Administration.

Data collected as part of the analysis included 14-hour vehicular and pedestrian counts, peak hour observations, and a multi-year crash history assessment.

I certify that all the facts presented herein are accurate.

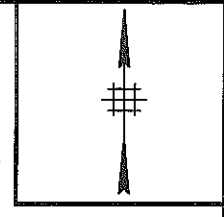
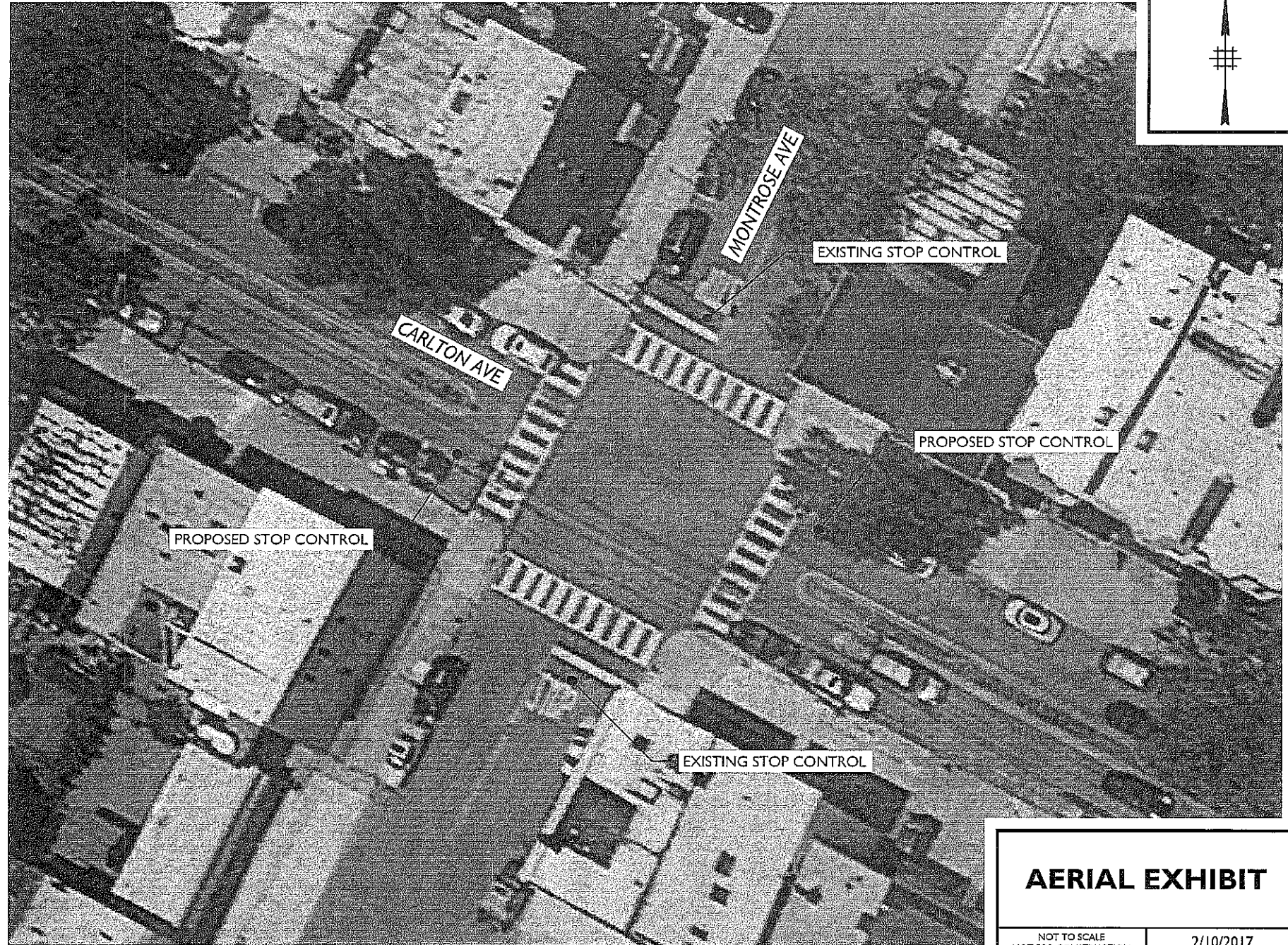
  
\_\_\_\_\_  
Director of Traffic & Transportation

\_\_\_\_\_  
Signature of Department Director

\_\_\_\_\_  
Date

8/15/17

\_\_\_\_\_  
Date

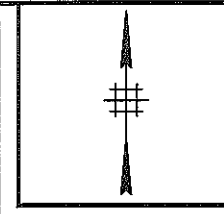


## AERIAL EXHIBIT

NOT TO SCALE  
NOT FOR CONSTRUCTION

2/10/2017





# AERIAL EXHIBIT

NOT TO SCALE  
NOT FOR CONSTRUCTION

2/10/2017





## AERIAL EXHIBIT

NOT TO SCALE  
NOT FOR CONSTRUCTION

2/10/2017



STEVEN M. FULOP  
MAYOR OF JERSEY CITY

**CITY OF JERSEY CITY**  
**DEPARTMENT OF ADMINISTRATION**  
**DIVISION OF ENGINEERING, TRAFFIC & TRANSPORTATION**

Municipal Services Complex  
13-15 Linden Avenue East | Jersey City, NJ 07305  
Engineering Desk: 201-547-4411 | Traffic Desk: 201-547-4470



ROBERT KAKOLESKI  
BUSINESS ADMINISTRATOR

**MEMORANDUM**

**DATE:** February 10, 2017

**TO:** Jeremy Farrell, Corporation Counsel  
Robert Kakoleski, Business Administrator  
Robert Byrne, City Clerk  
James Shea, Director, Department of Public Safety  
Councilman Boggiano, Ward C  
Councilman Michael Yun, Ward D  
Councilwoman Osborne, Ward E

**FROM:** Patricia Logan, Supervising Traffic Investigator  
Division of Engineering, Traffic and Transportation

**SUBJECT:** **PROPOSED ORDINANCE – MULTI-WAY STOP INTERSECTIONS**

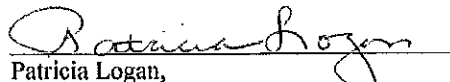
Please be advised, this Division has proposed legislation (for the Council's consideration) amending Chapter 332(Vehicles and Traffic) Section 332-9(Stop Intersections) of the Jersey City Traffic Code designating the following intersections as all way stop control:

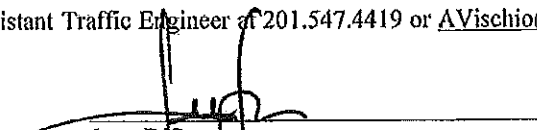
1. Carlton Avenue and Montrose Avenue
2. Congress Street and New York Avenue
3. Manila Avenue and Second Street

Designating these intersections as all-way stop control will improve traffic safety and operational characteristics at each intersection based on a detailed review of traffic conditions and guidance outlined within the Manual on Uniform Traffic Control Devices published by the Federal Highway Administration. Data collected as part of the analysis included 14-hour vehicular and pedestrian counts, peak hour observations, and a multi-year crash history assessment.

Each Ward Councilperson has been advised by Email of the proposed traffic regulation. (copy attached) The recommended amendments should appear on the Agenda for the February 22, 2017 Municipal Council Meeting.

Please feel free to contact Andrew Vischio, P.E., Assistant Traffic Engineer at 201.547.4419 or [AVischio@jcnj.org](mailto:AVischio@jcnj.org) if you have any questions regarding the legislation.

  
Patricia Logan,  
Supervising Traffic Investigator

  
Joao D'Souza,  
Director of Traffic & Transportation

C: Jose R. Cunha, P.E., Municipal Engineer  
Andrew Vischio, P.E.  
Chief of Staff Mark Albiez  
Philip Zacche, Chief of Police  
Captain Nicholas Scerbo, Commander, East District  
Captain Edgar Martinez, Commander, North District  
Mary Spinello-Paretti, Business Administrator, Division of Enforcement, Dept. of Public Safety  
Council President LaVarro, Jr.      Councilwoman Watterman      Councilman Rivera  
Councilman Gajewski      Councilman Gadsden      Councilman Robinson

## Patricia Logan

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**From:** Andrew Vischio  
**Sent:** Wednesday, February 08, 2017 3:03 PM  
**To:** Michael Yun  
**Cc:** Aliya Zlotkin; Joe Cunha; Joao D'Souza; Patricia Logan; Jean Wilkinson-Heard  
**Subject:** Congress Street & New York Avenue - Traffic Analysis

Good afternoon Councilman Yun,

I am writing today to inform you of a traffic analysis that our office recently conducted at the intersection of Congress Street & New York Avenue. In summary, our office is recommending all-way stop control for this intersection.

As part of our effort, we counted every vehicle and pedestrian that traveled through this intersection for a continuous 14 hour period, reviewed several years of crash history, and conducted peak hour field observations. Based on the collected data and guidance contained within the Federal Highway Administration's Manual on Uniform Traffic Control Devices (MUTCD), this intersection does not meet the warrants for traffic signal control, but it does meet the guidelines for all-way stop control. As such, we are recommending that the subject intersection (currently only stop-controlled on the southbound New York Avenue approach) be converted to all-way stop control (both New York Avenue and Congress Street approaches would be stop-controlled).

Our office is recommending all-way stop control at this intersection in an effort to improve safety by reducing the number of major crashes (in particular, right-angle collisions), while still maintaining efficient traffic flow. Specifically, this intersection has averaged 5 major crashes per year over the last three years (15 total, including one crash involving a pedestrian). Our detailed traffic analysis also indicates that even during the busiest peak hour, motorists at the Congress Street approaches would average less than 10 seconds of delay per vehicle - which places it in the category of Level of Service A (i.e. the best Level of Service possible).

Please let me know if you have any questions or comments on our recommendation. You can reach out to me at any time at my desk extension (4419) or email ([AVischio@icnj.org](mailto:AVischio@icnj.org)). If you do not have any questions or comments on our recommendation, we will get started on the legislation right away and can have it on the agenda for the February 22 Council meeting.

Thanks,  
Andrew

Andrew Vischio, PE  
Assistant Traffic Engineer  
City of Jersey City  
Division of Engineering, Traffic & Transportation  
13-15 Linden Avenue East, Jersey City, NJ 07305  
phone 201-547-4419

Patricia Logan

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From: Andrew Vischio  
Sent: Friday, February 10, 2017 10:54 AM  
To: Richard Boggiano; Richard Boggiano  
Cc: Angelica Sanchez; Joe Cunha; Joao D'Souza; Patricia Logan; angelicamia@yahoo.com  
Subject: Montrose Avenue & Carlton Avenue - Traffic Analysis

Good morning Councilman Boggiano,

I am writing today to inform you of a traffic analysis that our office recently conducted at the intersection of Montrose Avenue & Carlton Avenue. In summary, our office is recommending all-way stop control for this intersection.

As part of our effort, we counted every vehicle and pedestrian that traveled through this intersection for a continuous 14 hour period, reviewed several years of crash history, and conducted peak hour field observations. Based on the collected data and guidance contained within the Federal Highway Administration's Manual on Uniform Traffic Control Devices (MUTCD), this intersection does not meet the warrants for traffic signal control, but it does meet the guidelines for all-way stop control. As such, we are recommending that the subject intersection (currently only stop-controlled on the Montrose Avenue approaches) be converted to all-way stop control (both Montrose Avenue and Carlton Avenue approaches would be stop-controlled).

Our office is recommending all-way stop control at this intersection in an effort to improve safety by reducing the number of major crashes (in particular, right-angle crashes), while still maintaining efficient traffic flow. Specifically, this intersection has averaged 5 major crashes per year over the last four years (20 total, including two crashes involving a pedestrian). Our detailed traffic analysis also indicates that even during the busiest peak hour, motorists at the Carlton Avenue approaches would average less than 10 seconds of delay per vehicle - which places it in the category of Level of Service A (i.e. the best Level of Service possible).

Please let me know if you have any questions or comments on our recommendation. You can reach out to me at any time at my desk extension (4419) or email ([AVischio@icnj.org](mailto:AVischio@icnj.org)). If you do not have any questions or comments on our recommendation, we will get started on the legislation right away and can have it on the agenda for the February 22 Council meeting.

Thanks,  
Andrew

Andrew Vischio, PE  
Assistant Traffic Engineer  
City of Jersey City  
Division of Engineering, Traffic & Transportation  
13-15 Linden Avenue East, Jersey City, NJ 07305  
phone 201-547-4419

## Patricia Logan

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**From:** Patricia Logan  
**Sent:** Friday, February 10, 2017 2:56 PM  
**To:** 'Candice Osborne'  
**Cc:** Andrew Vischio; Joao D'Souza; Joe Cunha; Robert Kakoleski  
**Subject:** Legislation - Manila Av & Second St

Good afternoon Councilwoman

We are proposing legislation for the February 22<sup>nd</sup> Municipal Council meeting designating Manila Av and Second St as at "multi-way" stop intersection.

Designating these intersections as all-way stop control will improve traffic safety and operational characteristics at each intersection based on a detailed review of traffic conditions and guidance outlined within the Manual on Uniform Traffic Control Devices published by the Federal Highway Administration.

Data collected as part of the analysis included 14-hour vehicular and pedestrian counts, peak hour observations, and a multi-year crash history assessment.

Please advise if you have any objection to proposing this legislation. Feel free to contact me via Email at or at 4492 if you have any questions.

Sincerely,  
The City of Jersey City  
Department of Administration

Patricia Logan, Supervising Traffic Investigator  
Division of Engineering, Traffic and Transportation  
Municipal Services Complex/13-15 Linden Avenue East  
Jersey City, New Jersey 07305  
201.547.4492

City Clerk File No. Ord. 17-020  
Agenda No. 3.D 1st Reading  
Agenda No. \_\_\_\_\_ 2nd Reading & Final Passage



## ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE  
offered and moved adoption of the following ordinance:

CITY ORDINANCE 17-020

**TITLE:**

**ORDINANCE ACCEPTING FROM COA 99 HUDSON, LLC,  
A DEDICATION OF CERTAIN ROADWAYS, SIDEWALKS  
AND UTILITIES WITHIN THE HUDSON STREET RIGHT OF  
WAY**

**WHEREAS**, COA 99 Hudson, LLC, New Jersey Limited Liability company, having its principal office at 1500 Broadway, 23rd Floor, New York, New York 10036 ("COA"), is the owner of 99 Hudson Street also referred to as Block 14507, Lot 1 on the current tax maps of the City of Jersey City, (the "Property"); and

**WHEREAS**, COA applied for and received Preliminary and Final Major Site Plan approval from the Jersey City Planning Board on June 9, 2015. An Amendment to the Site Plan Approval was obtained on January 12, 2016 for the construction of a new seventy-nine (79) story mixed used building including seven hundred and eighty-one (781) market rate residential units, 15,666 sq. ft. of retail space, six hundred and nine (609) parking spaces and 14,822 sq. ft. of open space on the Property (the "Development"); and

**WHEREAS**, in connection with the Development, COA was obligated by the Colgate Redevelopment Plan to dedicate a portion of the Property to the Hudson Street Right-Of-Way (the "Improvements"); and

**WHEREAS**, COA desires to dedicate the areas of the Property as described below to the City of Jersey City ("City"); and

**WHEREAS**, the City is authorized pursuant to N.J.S.A. 40:67-1 and N.J.S.A. 40A:12-5 to accept the conveyance and dedication of land and appurtenances for public purposes.

**NOW, THEREFORE BE IT ORDAINED** by the Municipal Council of the City of Jersey City that:

1. The portions of the land, improvements and appurtenances that are located within the Property, more particularly described as a portion of Block 14507, Lot 1 consisting of approximately 0.092 acres shown on Exhibit A attached hereto and graphically depicted in Exhibit B attached hereto is hereby accepted and dedicated as a public right-of-way.
2. The acceptance of this dedication shall be subject to the following terms and conditions:

Upon delivery of a deed of easement to the City pursuant to the terms hereof, COA shall provide the City with a one (1) year maintenance bond for the roadways and improvements. During the one (1) year period following the delivery of the deed, COA shall promptly correct any deficiencies in workmanship and design which threaten the structural integrity of the roadways and improvements or create a risk to public safety, upon receiving written notice of such deficiencies from the Municipal Engineer. At the end of the one (1) year period, the City shall be responsible for the structural maintenance of the roadways and improvements which are the subject of this dedication.

3. After the completion of all improvements required by Planning Board Resolution P15-028 dated June 9, 2015 and as amended by Planning Board Resolution P15-028.1 dated January 12, 2016 and approval of the improvements by the Division of Engineering and Traffic, the Mayor or the Business Administrator is hereby authorized:
- (a) subject to review and approval by the City's Corporation Counsel of a title report provided by COA, accept delivery of and record a deed of easement from COA conveying the dedicated lands and improvements; and
  - (b) subject to review and approval by the Municipal engineer, accept all easements described in paragraph 4 below; and
  - (c) subject to review and approval by the City's Corporation Counsel, execute all documents necessary to accomplish the dedication of the aforementioned lands.
4. This dedication shall be subject to all easements affecting the Property recorded in the Office of the Hudson County register for the benefit of public or private entities for the purpose of operating and maintaining, inspecting, protecting, repairing, replacing or reconstructing any existing water, sewer or utility lines including cable television wires and poles, together with the right of ingress and egress at all times for such purposes and all other purposes in connection or in any way relating to an entity's use or operation of water, sewer or utility lines.
- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
  - B. This ordinance shall be a part of the Jersey City code as though codified and fully set forth therein. The City shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
  - C. This ordinance shall take effect in the manner as prescribed by law.
  - D. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All new material is underlined words in ~~{brackets}~~ are omitted. For purposes of advertising only, new matter is indicated by **boldface** and repealed matter by *italic*.

RR  
2-14-17

R.B.  
2-14-17

APPROVED AS TO LEGAL FORM

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
Corporation Counsel

APPROVED: \_\_\_\_\_  
Business Administrator

Certification Required ☐  
Not Required ☒



**RESOLUTION FACT SHEET – NON-CONTRACTUAL**

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

**Full Title of Ordinance/Resolution**

**ORDINANCE ACCEPTING FROM COA 99 HUDSON, LLC,  
A DEDICATION OF CERTAIN ROADWAYS, SIDEWALKS  
AND UTILITIES WITHIN THE HUDSON STREET RIGHT OF  
WAY**

**Initiator**

Department/Division	HEDC	City Planning
Name/Title	Maryann Bucci-Carter	Acting Director
Phone/email	547-5050	Maryannb@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

**Resolution Purpose**

COA 99 Hudson, LLC, ("COA"), is the owner of 99 Hudson Street also referred to as Block 14507, Lot 1 on the City's tax map (the "Property"). COA received Planning Board approval for the construction of a new 79 story mixed used building including 781 market rate residential units, 15,666 sq. ft. of retail space, 609 parking spaces and 14,822 sq. ft. of open space on the Property (the "Development"). In connection with the Development, COA is obligated by the Colgate Redevelopment Plan to dedicate a portion of the Property to the Hudson Street Right-Of-Way. The City is authorized by State laws to accept the conveyance and dedication of land and appurtenances for public purposes.

**I certify that all the facts presented herein are accurate.**

\_\_\_\_\_  
**Signature of Department Director**

\_\_\_\_\_  
**Date**

# Exhibit A

August 08, 2016

Job No. 10147-17

## SIDEWALK EASEMENT AREA DESCRIPTION B-2

on Block 14507, Lot 1

City of Jersey City

Hudson County, New Jersey

BEGINNING at a point which is the intersection of the southerly line of York Street (60 feet wide) and the easterly line of Greene Street (80 feet wide) and running; thence

1. Along the southerly line of York Street (60 feet wide), South 81 degrees 47 minutes 01 seconds East, 360.00 feet to a point where it is intersected by the proposed westerly line of Hudson Street (90 feet wide); thence
2. Along the proposed westerly line of Hudson Street (90 feet wide), South 08 degrees 12 minutes 59 seconds West, 200.42 feet to a point where it is intersected by the northerly line of Grand Street (80 feet wide); thence;
3. Along the northerly line of Grand Street (80 feet wide), North 81 degrees 47 minutes 01 seconds West, 311.78 feet to a point; thence the following six (6) courses into and through Block 14507, Lot 1:
4. North 08 degrees 12 minutes 59 seconds East, 1.50 feet to a point; thence:
5. South 81 degrees 47 minutes 01 seconds East, 286.38 feet to a point; thence;
6. North 53 degrees 12 minutes 59 seconds East, 16.00 feet to a point; thence
7. North 81 degrees 12 minutes 59 seconds East, 171.29 feet to a point; thence
8. North 36 degrees 47 minutes 01 seconds West, 16.00 feet to a point; thence
9. North 81 degrees 47 minutes 01 seconds West, 334.60 feet to a point in the easterly line of Greene Street (80 feet wide); thence
10. Along the easterly line of Greene Street (80 feet wide), North 08 degrees 12 minutes 59 seconds East, 5.00 feet to the point or place of BEGINNING.

Containing 5,127 sq. ft. or 0.118 acres

This description was prepared in accordance with a map entitled "Sidewalk Easement Area Exhibit B-1, 99 Hudson Street, Block 14507, Lot 1, City of Jersey City, Hudson County, New Jersey" dated August 08, 2016, prepared by Dresdner Robin, Hanson Engineering Division, Job No. 10147-17.



Greg S. Gloor  
Professional Land Surveyor  
New Jersey License No. 37189



### Jersey City

#### Corporate Office

1 Evertrust Plaza, Suite 901  
Jersey City, NJ 07302-3085  
PHONE: 201-217-9200  
FAX: 201-217-9607

### Pennsauken Office

#### Perks Ruetter Division

Fairway Corporate Center  
4300 Haddonfield Road, Suite 115  
Pennsauken, NJ 08109  
PHONE: 856-488-6200  
FAX: 856-488-4302

### Asbury Park Office

603 Mattison Avenue  
Asbury Park, NJ 07712  
PHONE: 732-988-7020  
FAX: 732-988-7032

### Fairfield Office

#### Hanson Engineering Division

55 Lane Road, Suite 220  
Fairfield, NJ 07004  
PHONE: 973-696-2600  
FAX: 973-696-1362

[www.dresdnerrobin.com](http://www.dresdnerrobin.com)



City Clerk File No. Ord. 17-021

Agenda No. 3.E 1st Reading

Agenda No. \_\_\_\_\_ 2nd Reading & Final Passage



# ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE  
offered and moved adoption of the following ordinance:

CITY ORDINANCE 17-021

TITLE:

**ORDINANCE SUPPLEMENTING CHAPTER A351 (EXECUTIVE ORDERS AND ORDINANCES) OF THE JERSEY CITY CODE TO CREATE A NEW CLASSIFIED POSITION FOR PROGRAM DEVELOPMENT SPECIALIST 3**

**THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:**

A. The following supplements to Chapter A351 (Executive Orders and Ordinances) of the Jersey City Code are adopted:

**Labor Grade**

**Title**

\*

Program Development Specialist 3

B. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

C. This ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.

D. This ordinance shall take effect at the time and in the manner as provided by law.

E. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

**NOTE:** All new material is underlined; words in [brackets] are omitted.  
For purposes of advertising only, new matter is indicated by **boldface** and repealed matter by *italic*.

*\*Pursuant to N.J.S.A. 40:69A-43a.*

NR/he  
2/07/17

APPROVED AS TO LEGAL FORM

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
Corporation Counsel

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
Business Administrator

Certification Required ☐

Not Required ☐

**RESOLUTION FACT SHEET – NON-CONTRACTUAL**

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

**Full Title of Ordinance/Resolution**

**ORDINANCE SUPPLEMENTING CHAPTER A351 (EXECUTIVE ORDERS AND ORDINANCES)  
OF THE JERSEY CITY CODE TO CREATE A NEW CLASSIFIED POSITION FOR PROGRAM  
DEVELOPMENT SPECIALIST 3**

**Initiator**

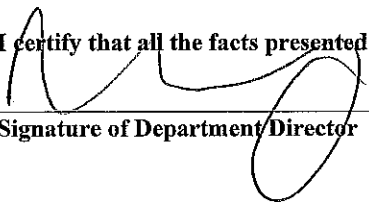
Department/Division	Human Resources	Workforce Management
Name/Title	Nancy Ramos	Director of Human Resources
Phone/email	(201) 547-5217	nancyr@jenj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

**Resolution Purpose**

To establish a new title for (Stacey Dix-Kielbowski) in accordance with New Jersey Department of Civil Services Commission Rules and Regulations

I certify that all the facts presented herein are accurate.

  
Signature of Department Director

2/6/17  
Date

Ordinance/Resolution Fact Sheet

This summary sheet is to be attached to the front of any ordinance, resolution, cooperation agreement, or contract that is submitted for Council consideration. Incomplete or sketch summary sheets will be returned with the resolution or ordinance. The Department, Division, or Agency responsible for the overall implementation of the proposed project or program should provide a concise and accurate state of facts.

Full Title of Ordinance/Resolution/Cooperation Agreement:

**program development specialist 3**

Name & Title of Person Initiating Ordinance/Resolution, Etc.:

**Nancy Ramos, Human Resources Director**

Concise Description of the Program, Project, or Plan Proposed in the Ordinance:

**To establish a new title in accordance with New Jersey dept. of Civil Services Commission and Regulations**

Reasons for the Proposed Program, Project, Etc.:

\_\_\_\_\_

Anticipated Benefits to the Community:

\_\_\_\_\_

Cost of Program, Project, Etc.:(Indicate the dollar amount of City, State, Federal funds to be used as well as match and in-kind contributions.)

\_\_\_\_\_

Date Proposed Program or Project will Commence: \_\_\_\_\_

Anticipated Completion Date: \_\_\_\_\_

Person Responsible for Coordinating Proposed Program, Project Etc.: \_\_\_\_\_

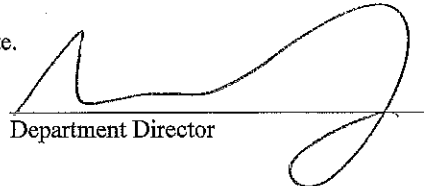
Additional Comments:

**Union Affiliation - Management Labor Grade: 31**

\_\_\_\_\_

I Certify That All Facts Present Herein Are Accurate.

2/6/17  
Date

  
Department Director

Date Submitted to Law Department 2/6/17

**New Title**

**Title: program development specialist 3**

**Department: business administrator**

**Division: municipal court**

**Labor Grade:**

**Min. \$20,700**

**Max. \$67,134**

**Union: Management**

**Stacey Dix-Kielbiowski  
1730 Oakwood Terrace  
Scotch Plains, NJ 07306**

**Salary: \$65,714**



STEVEN M. FULOP  
MAYOR OF JERSEY CITY

CITY OF JERSEY CITY  
OFFICE OF THE MAYOR

CITY HALL | 280 GROVE STREET | JERSEY CITY, NJ 07302  
P: 201 547 5500 | F: 201 547 5442



STEVEN M. FULOP  
MAYOR OF JERSEY CITY

E.O. \_\_\_\_\_

\_\_\_\_\_, 2017

EXECUTIVE ORDER OF THE MAYOR  
OF THE  
CITY OF JERSEY CITY

**CLASSIFIED POSITIONS FOR CITY EMPLOYEES**

Pursuant to the Faulkner Act, N.J.S.A. 40:69A-48, as amended by L.1985, c.374, the Mayor is now authorized to set the salaries, wages or other compensation of all employees of administrative departments except department directors and employees whose salaries are required to be set by ordinance.

Pursuant to this authorization, I issue the following Executive Order establishing guidelines for salaries and wages of those employees whose salaries are set by the Mayor:

**Labor Grade**

**Title**

31

Program Development Specialist 3

This order shall take effect immediately.

Very truly yours,

**STEVEN M. FULOP, MAYOR**

SMF/he

cc: Robert J. Kakoleski, Business Administrator  
Jeremy Farrell, Corporation Counsel  
Robert Byrne, City Clerk  
Donna Mauer, Chief Financial Officer  
Nancy Ramos, Personnel Director



City Clerk File No. Ord. 17-022

Agenda No. 3 - F 1st Reading

Agenda No. \_\_\_\_\_ 2nd Reading & Final Passage



## **ORDINANCE OF JERSEY CITY, N.J.**

COUNCIL AS A WHOLE  
offered and moved adoption of the following ordinance:

CITY ORDINANCE 17-022

**TITLE: ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 245  
(PEDDLING, SOLICITING AND CANVASSING) ARTICLES I, II AND III, OF  
THE JERSEY CITY MUNICIPAL CODE**

**THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY HEREBY ORDAINS:**

**WHEREAS**, the current Municipal Code is inadequate in preventing mass door-to-door solicitation of certain residential neighborhoods; and

**WHEREAS**, the Municipal Council needs to update the Code to implement a more aggressive prohibition of such door-to-door solicitations via a No-Knock Registry.

**NOW, THEREFORE, BE IT ORDAINED** by the Municipal Council of the City of Jersey City that:

- A. The following amendments to Chapter 245 (Peddling, Soliciting and Canvassing) Article III (Canvassers and Solicitors) are hereby adopted:

### **PEDDLING, SOLICITING AND CANVASSING ARTICLE I Licensing of Peddlers**

#### **§245-1. - Definitions.**

As used in this Article, the following terms shall have the meanings indicated:

**PEDDLER** - Any person, traveling by foot, wagon, automotive vehicle or any other type of conveyance from place to place, from house to house or from street to street, carrying, conveying or transporting goods, wares or merchandise, offering and exposing the same for sale, or making sales and delivering articles to purchasers, or who, without traveling from place to place, shall sell or offer the same for sale from a wagon, automotive vehicle, railroad car or other vehicle or conveyance. Any person who solicits orders and, as a separate transaction, makes deliveries to purchasers as part of a scheme or design to evade the provisions of this Article shall be deemed a "peddler." "Peddler" shall include the words "hawker" and "huckster." Peddler shall also include any person who is issued a veteran peddlers' license pursuant to N.J.S.A. 45:24-9 et seq., except that the actual issuance of a veteran's license and cancellation of a veteran's license for sale or use to anyone other than the veteran; or if the veteran is convicted of a crime or is guilty of violation of municipal ordinance shall be governed exclusively by N.J.S.A. 45:24-10 and 45:24-13.

#### **§245-2. - License required; fees.**

- A. Every peddler shall obtain a peddler's license from the license issuing authority prior to engaging in business as a peddler. The peddler's license fee shall be as

provided in Chapter 160, Fees and Charges, not prorated, accounting from April 1, or a daily charge as provided in Chapter 160, Fees and Charges.

B. The requirement of a peddler's license shall be subject to the following exemptions:

- (1) Persons residing in the city who have a state trader's license.
- (2) The sale of farm, dairy or garden produce raised by the vendor in the state.
- (3) Seafood caught by the vendor in the state.
- (4) Articles of the vendor's own manufacture manufactured in the state.

**§245-3. - Identification tag; fee; exemption.**

- A. Each peddler shall procure a peddler's identification tag from the City Treasurer prior to engaging in business as a peddler, and such tag shall be conspicuously displayed on the peddler's vehicle, wagon, cart or person while engaged in such business. The application for a peddler's identification tag shall contain an appropriate certification by the applicant that he or she is a bona fide grower, producer or manufacturer of the products to be sold by him or her, and the application shall be signed by the peddler.
- B. The fee for a peddler's identification tag shall be as provided in Chapter 160, Fees and Charges.
- C. The requirement of a peddler's identification tag shall be subject to the exemption of and shall not apply to any person who has complied with the licensing provisions of §245-14.

**§245-4. - License and tag nontransferable.**

A peddler's license and a peddler's identification tag shall be nontransferable and shall not be used or worn at any time by any person other than the one to whom it was issued.

**§245-5. - Revocation of license.**

A peddler's license shall be subject to revocation by the license issuing authority, after notice and hearing, for any one (1) of the following grounds:

- A. Fraud, misrepresentation or false statement contained in the application for a peddler's license.
- B. Fraud, misrepresentation or false statement made in the course of carrying on his or her business as a peddler.
- C. Violations of law as set forth in this Article.
- D. Conducting the business of peddling in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the public health, safety or general welfare.

**§245-6. - Prohibited peddling locations; use of streets; exemption for handicapped persons.**

- A. No peddler may sell or offer to sell any goods, wares or merchandise within the areas designated as ~~[The Journal Square Special Improvement District, The Central Avenue Special Improvement District, The Historic Downtown Special Improvement District, and the McGinley Square Special Improvement District]~~ a Special Improvement District (SID), which areas are more particularly described by block and lot numbers and street addresses as set forth in Schedule A to Chapter 69 of this Code on file in the Office of the Jersey City Clerk.

- B. No peddler who shall make use of the streets to vend goods, either from a wagon, vehicle or other conveyance, shall remain in one place longer than twenty (20) minutes or return thereto within a period of less than five hours; provided, however, that this time limitation shall not apply to physically handicapped persons who have been issued a specific vehicle identification card by the Division of Commerce.
- (1) No peddler shall be deemed to have complied with the foregoing requirement unless such peddler shall have moved at least one hundred (100) feet from the point at which he or she last stopped.
  - (2) "Physical handicap" means a physical impairment which confines a person to a wheelchair; causes a person to walk with difficulty or insecurity; affects the sight or hearing to the extent that a person functioning in public areas is insecure or exposed to danger; causes faulty coordination; or reduces mobility, flexibility, coordination and perceptiveness. "Physical handicap" shall include coronary conditions. Any such physically handicapped person shall submit a certificate from a physician certifying that such handicap does exist.
- C. No peddler's location upon the streets for the purpose of sale shall be at a distance of less than one hundred (100) feet from the entrance of the store or place of business of a permanent retailer who sells like merchandise, foodstuffs or produce as the peddler.
- D. The Department of Public Safety shall enforce the twenty (20) minute regulation as set forth in this section.

**§245-7. - Entry on private property.**

No peddler shall make entry upon private property for the purpose of offering for sale or selling any merchandise, foodstuffs or produce unless the property owner shall have given prior consent to such entry.

**§ 245-8. - Articles not to be sold.**

No peddler shall offer for sale or sell the following prohibited articles on any street or public way: medicines, patented remedies, nostrums, soaps, perfumes, extracts, toy balloons, toilet articles or other like merchandise.

**§ 245-8.1. - Exempt persons.**

The following activities shall be exempt from this Article:

- (1) Delivery of goods, wares or merchandise in the regular course of business to the premises of persons ordering or entitled to receive same.
- (2) Solicitations on behalf of members of any charitable organizations, religious purpose or on behalf of a political candidate or activity.

- B. The following amendments to Chapter 245 (Peddling, Soliciting and Canvassing) Article III (Canvassers and Solicitors) are hereby adopted:

**ARTICLE II  
Transient Businesses**

**§245-9. - Definitions.**

As used in this Article, the following terms shall have the meanings indicated:

TRANSIENT BUSINESS - A sale by a person who was not permanently engaged in business in the city prior to the sale in which the person represents himself as a bankrupt, an assignee or about to quit business, or that the sale is one of damaged goods as a result of fire, water or other cause.

**§245-10. - License required; fee.**

Every person, not already engaged in a permanent business in the city, who intends to begin a transient business shall first apply for and obtain a transient business license from the license issuing authority. The fee for a transient business license shall be as provided in Chapter 160, Fees and Charges.

- C. The following amendments to Chapter 245 (Peddling, Soliciting and Canvassing) Article III (Canvassers and Solicitors) are hereby adopted:

**ARTICLE III  
Canvassers and Solicitors**

**§245-11. Definitions.**

As used in this Article, the following terms shall have the meanings indicated:

CANVASSER or SOLICITOR - Hereinafter referred to only as a "canvasser," any individual, whether resident of the City of Jersey City or not, traveling either by foot, wagon, automobile, motortruck or any other type of conveyance from place to place, from house to house or from street to street, offering to purchase any real property or any interest in real property either on his own behalf or as an agent or broker on behalf of any third party, taking or attempting to take orders for sale of goods, wares and merchandise, personal property of any nature whatsoever for future delivery or for services to be furnished or performed in the future, whether or not such individual has, carries or exposes for sale a sample of the subject of such sale, or whether he or she is collecting advance payments on such sales or not, provided that such definition shall include any person who, for himself, herself or for another person, hires, leases, uses or occupies any building, structure, tent, railroad, boxcar, boat, hotel room, lodging house, apartment, shop or any other place within the city for the sole purpose of exhibiting samples and taking orders for future delivery; and provided, further, that the foregoing definition shall not be deemed to include any person who, acting for a manufacturer or wholesaler, shall sell or take orders for the sale of goods, wares and merchandise to any other manufacturer or wholesaler or to a retailer for resale in the usual course of business; nor shall the provisions of this Article apply to sales made under authority and by order of law nor to sales made by the vendors of farm or dairy product.

**§245-12. - License required.**

No solicitor or canvasser, as defined herein, shall engage in such business within the city without first obtaining a canvasser license therefor in compliance with the provisions of this Article.

**§245-13. - Exempt persons.**

~~[This Article shall not affect any person engaged in the delivery of goods, wares or merchandise in the regular course of business to the premises of persons ordering or entitled to receive same nor to employees of any public utility which is subject to regulation by the Board of Public Utility Commissioners of the State of New Jersey when carrying an identification card, badge or insignia issued by such a public utility nor to employees or agents of life insurance or other corporations licensed by any state agency.]~~  
The following activities shall be exempt from this Article:

- (1) Delivery of goods, wares or merchandise in the regular course of business to the premises of persons ordering or entitled to receive same.

- (2) Solicitations on behalf of members of any charitable organizations, religious purpose or on behalf of a political candidate or activity.

**§245-14. - License application; fee.**

- A. An applicant for a canvasser license under this Article shall file with the City Treasurer a sworn application in writing, in duplicate, on a form to be furnished by the City Treasurer, which form shall give the following information:
- (1) Name and description of the applicant.
  - (2) Permanent home address and full local address of the applicant.
  - (3) A brief description of the nature of the business and the goods to be sold.
  - (4) If employed, the name and address of the employer, together with credentials establishing the exact relationship.
  - (5) The length of time for which the right to do business is desired.
  - (6) The place where the goods or property proposed to be sold, or orders taken for the sale thereof, are manufactured or produced, where such goods or products are located at the time said application is filed and the proposed method of delivery.
  - (7) A photograph of the applicant, taken within sixty (60) days immediately prior to the date of the filing of the application, which picture shall be two by two (2 x 2) inches, showing the head and shoulders of the applicant in a clear and distinguishing manner.
  - (8) The fingerprints of the applicant and the names of at least two (2) reliable property owners of the County of Hudson, State of New Jersey, who will certify as to the applicant's good character and business responsibility or, in lieu of the names of references, such other available evidence as to the good character and business responsibility of the applicant as will enable an investigator to properly evaluate such character and business responsibility.
  - (9) A statement as to whether or not the applicant has been convicted of any crime, misdemeanor or violation of any municipal ordinance, the nature of the offense and the punishment or penalty assessed therefor.
  - (10) A list of the municipalities in which the applicant and his or her employer has conducted the business for the six (6) months prior to the date of the application.
  - (11) A statement setting forth whether any complaints have been made against the applicant or his or her employer by customers solicited in this city or elsewhere and the nature of said complaints.
- B. At the time of filing the application, a fee as provided in Chapter 160, Fees and Charges, shall be paid to the license issuing authority to cover the cost of investigation of facts stated therein.

**§245-15. - Investigation; disapproval of applicant.**

- A. Upon receipt of such application, the original shall be referred to the Chief of Police or, in the absence of the Chief, the officer in charge of police headquarters, who shall cause such investigation of the applicant's business and moral character to be made as is deemed necessary for the protection of the public good.

- B. If, as a result of such investigation, the applicant's character or business responsibility is found to be unsatisfactory for any of the reasons set forth herein, the Chief of Police shall endorse on such application his or her disapproval and the reasons for the same, and return said application to the City Treasurer, who shall notify the applicant that the application is disapproved and that no permit and license will be issued.
- C. If, as a result of such investigation, the character and business responsibility of the applicant are found to be satisfactory, the Chief of Police shall endorse on the application his or her approval, execute a permit addressed to the applicant for the carrying on of the business applied for and return said permit, along with the application to the license issuing authority, who shall, upon payment of the prescribed investigation fee, deliver to the applicant the permit and issue a license. Such license shall contain the signature and seal of the issuing officer and shall show the name, address and photograph of said licensee and the kind of goods to be sold thereunder, the amount of fee paid, the date of issuance and the length of time the same shall be operative, as well as the license number and other identifying description of any vehicle used in such soliciting or canvassing. The license issuing authority shall keep a permanent record of all licenses issued.
- D. It shall be sufficient for the Police Chief to disapprove an application for the license for any of the following reasons:
- (1) If the applicant or his or her employer has been convicted of any crime, misdemeanor, criminal offense or the violation of any municipal ordinance.
  - (2) If there is any fraud, misrepresentation or false statement contained in the application.
  - (3) If the applicant or his or her employer or the employer's representatives have committed any fraud, misrepresentation or false statement in conducting said business in this city or elsewhere.
  - (4) If the applicant or his or her employer or the employer's representatives have conducted said business in an unlawful manner in this city or elsewhere.

**§245-16. - Denial of license; appeals; hearing.**

Any person aggrieved by the action of the Chief of Police or, in the absence of the Chief, the officer in charge of police headquarters, or the license issuing authority, upon the denial of the license as provided in this Article shall have the right of appeal to the Director of Public Safety. Such appeal shall be taken by filing with said Director, within fourteen (14) days after notice of the action complained of has been mailed to such person's last known address, a written statement setting forth fully the grounds for the appeal. The Director shall set a time and place for a hearing on such appeal, and notice of such hearing shall be given to the appellant in the same manner as provided in this Article for notice of hearing on revocation. The decision and order of the Director on such appeal shall be final and conclusive.

**§245-17. - Revocation of license; notice; hearing.**

- A. Licenses issued under the provisions of this Article may be revoked by the Director of Public Safety after notice and hearing, for any of the following causes:
- (1) Fraud, misrepresentation or false statement contained in the application for license.
  - (2) Fraud, misrepresentation or false statement made in the course of carrying on business as solicitor or as canvasser.

- (3) Any violation of this Article.
  - (4) Conviction of any crime or misdemeanor involving moral turpitude.
  - (5) Conducting the business of soliciting or canvassing in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the public.
- B. Notice of the hearing for revocation of a license shall be given in writing, setting forth specifically the grounds of complaint and the time and place of hearing. Such notice shall be mailed, postage prepaid, to the licensee at his or her last known address at least five (5) days prior to the date set for hearing.

**§245-18. - Expiration of license.**

All annual licenses issued under the provisions of this Article shall expire on December 31 in the year issued. Other licenses shall expire on the date specified in the license.

**§245-19. - Permitted hours; photograph.**

No person shall canvass within the city except between the hours of 9:00 a.m. and 6:00 p.m. A copy of the licensee's photograph shall be carried on the license, which photograph shall be furnished by the applicant. The licensee shall exhibit his or her license to any police officer or other person upon request. The licensee shall be courteous to all persons in canvassing and shall not importune nor annoy any of the inhabitants of the city and shall conduct himself or herself in a lawful manner. On expiration of the license, the licensee shall surrender the same to the officer in charge of police headquarters.

**§245-20. - Production of license.**

All police officers shall require any person seen soliciting or canvassing and who is not known by such officer to be duly licensed to produce his or her canvasser's license at the request of the officer.

**§245-20.1. Establishment of a No-Knock Registry.**

- A. For the purpose of protecting residents from criminal activities and safeguarding their privacy, there is hereby established a No-Knock Registry of properties where canvassing and soliciting are prohibited. The No-Knock Registry shall be maintained by the City Clerk.
- B. The City Clerk shall prepare a list of addresses of those premises whose owners or occupants have notified the Clerk that canvassing or soliciting are not permitted on their premises. Notification shall be by the completion of a form, available online and at the City Clerk's office during normal business hours. The premises shall remain on the Registry unless the owners or occupants notify the City Clerk in writing that they wish the property to be removed from the Registry. The City Clerk shall update the list monthly. The inclusion of a premises on the Registry shall be deemed a revocation of any privilege or license to enter or attempt to enter the property.
- C. Owners or occupants who have requested to be listed on the Jersey City No-Knock Registry pursuant to Subsection A herein, may procure from the Clerk's office a notice for display on the premises indicating the enlistment on the Jersey City No-Knock Registry. The notice shall indicate which solicitors may contact residents and shall read substantially as follows:

"These premises are listed on the City of Jersey City's 'No-Knock Registry' (Jersey City Code Sec. §245-20.1). You may not enter or attempt to enter these premises for the purpose of canvassing or soliciting, which includes offering to purchase

real estate on behalf of any person or organization. Charitable, political, religious organizations are exempt from this law. Violation of Jersey City Code Sec. §245-20.1, may result in a fine of up to \$2,000 and/or up to 90 days of community service."

- D. The first notice shall be provided free of charge and may be picked up in person during regular business hours. If a replacement notice is required, the individual may pick up the replacement notice at the Clerk's office for a fee of \$5.00, which shall be payable to the City Clerk. A fee of an additional \$1.00 per notice will be applied for any individual who desires to have a notice mailed to him or her, payable to the City Clerk. Pursuant to N.J.S.A. 2C:18-3, "any owner or occupant who has listed his or her premises on this registry shall be deemed to have revoked any express or implied legal privilege or license to enter or attempt to enter the premises".
- E. The City Clerk shall distribute the current Jersey City No-Knock Registry to a licensed canvasser or solicitor at the time of issuance of a license.
- F. Although the most current list of registrants on the Jersey City No-Knock Registry shall be provided by the City Clerk, it is the responsibility of the canvasser or solicitor to have the most up-to-date list prior to engaging in any canvassing or soliciting.
- G. Any person convicted of violating this section upon competent evidence by an owner, occupant or other person with personal knowledge of such violation shall be subject to the following:

  - (1) 1<sup>st</sup> offense: a minimum fine of \$100 with a maximum of up to \$1,250;
  - (2) subsequent offense: a minimum fine of \$100 with a maximum of up to \$2,000 for each offense, together with community service for a period of up to 90 days; and
  - (3) any offense: in addition to the above, a permanent revocation of any license issued under the within Chapter.
- H. The City shall post a No-Knock Registry application on the City webpage and distribute to other media outlets as designated by the City. The City shall provide copies of the application to the public and undertake reasonable efforts in education and distribution, in order to further public awareness of the No-Knock Registry.
- I. This section does not preclude an owner or occupant from filing any other appropriate complaint with the Prosecutor, including a complaint for trespass.

#### **§245-21. - Violations.**

The Chief of Police shall report to the license issuing authority all convictions for violation of this Article, and the license issuing authority shall maintain a record for each license issued showing all violations of this Article by the licensee.

- D. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- E. This ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- F. This ordinance shall take effect at the time and in the manner as provided by law.



G. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repeal of existing provisions.

**NOTE:** All new material is underlined; words in ~~[brackets]~~ are omitted. For purposes of advertising only, new matter is indicated by **boldface** and repealed matter by *italic*.

SS/TF/he  
2/15/17

APPROVED AS TO LEGAL FORM

\_\_\_\_\_  
Corporation Counsel

APPROVED: \_\_\_\_\_

APPROVED: \_\_\_\_\_  
Business Administrator

Certification Required ☐

Not Required ☐

City Clerk File No. Ord. 17-023  
Agenda No. 3.6 1st Reading  
Agenda No. \_\_\_\_\_ 2nd Reading & Final Passage



## ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE  
offered and moved adoption of the following ordinance:

CITY ORDINANCE 17-023

**TITLE: AN ORDINANCE OF THE CITY OF JERSEY CITY IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY, AUTHORIZING THE TRANSFER OF CERTAIN CITY-OWNED REAL PROPERTY, IDENTIFIED ON THE TAX MAP OF THE CITY OF JERSEY CITY AS BLOCK 21504, LOT 6, TO THE JERSEY CITY REDEVELOPMENT AGENCY (65 PHILLIP STREET)**

**THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY HEREBY ORDAINS:**

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "**Redevelopment Law**") authorizes a municipality to determine whether certain property within the municipality constitutes an "area in need of redevelopment"; and

**WHEREAS**, in accordance with the Redevelopment Law, the municipal council (the "**City Council**") of the City of Jersey City (the "**City**") designated the Liberty Harbor Redevelopment Area (the "**Redevelopment Area**"), which Redevelopment Area consists of, among several parcels, certain property identified as Block 21504, Lot 6, on the tax map of the City, otherwise commonly known as 65 Phillip Street in the City (the "**Property**"); and

**WHEREAS**, the Property is currently owned by the City and lies within the legally established boundaries of the Redevelopment Area; and

**WHEREAS**, it has been determined that the Property is not needed for any municipal public purpose or use; and

**WHEREAS**, the City Council adopted, at its meeting in March 1973, the Liberty Harbor Redevelopment Plan; and

**WHEREAS**, the Jersey City Redevelopment Agency (the "**Agency**") has the responsibility of acquiring property within the Redevelopment Area to effectuate the redevelopment and revitalization of the Redevelopment Area; and

**WHEREAS**, the Agency has deemed it necessary to acquire the Property from the City to accomplish the objectives of the Liberty Harbor Redevelopment Plan; and

**WHEREAS**, the City may transfer the Property to the Agency pursuant to N.J.S.A. 40A:12A-39(a) and (f); and

**WHEREAS**, the Agency intends to further transfer the Property to the designated redeveloper in connection with the proposed Scitech Scity Redevelopment Project (the "**Project**") to be undertaken by a non-profit affiliate of the Liberty Science Center (the "**Redeveloper**") pursuant to a Redevelopment Agreement to be entered by and between the Agency and the Redeveloper; and

**WHEREAS**, the Agency, as an express condition of transfer to the Redeveloper, shall include a restrictive covenant in the deed to the Property (the "**Deed**") requiring that the fee simple interest in the Property shall remain with a non-profit entity in perpetuity;

**WHEREAS**, the Agency shall also include a clause in the Deed which shall provide that title to the Property shall revert back to the Agency in the event the Project is not completed in accordance with the terms of the Redevelopment Agreement between the Agency and the redeveloper; and

**WHEREAS**, the Agency shall further obligate the Redeveloper to share future revenues with the City and/or Agency as consideration for the initial sale of such Property for nominal consideration;

**NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY**, as follows:

Section 1. The foregoing recitals are incorporated herein as though fully set forth at length. The City Clerk shall have this Ordinance codified and incorporated in the official copies of the Jersey City Code.

Section 2. Pursuant to N.J.S.A. 40A:12A-39(a) and (f), the transfer of Property known as Block 21504, Lot 6 on the tax map of the City of Jersey City to the Jersey City Redevelopment Agency, for ONE DOLLAR (\$1.00), is hereby authorized for the purpose of implementing the Liberty Harbor Redevelopment Plan, provided that the Deed to the Property includes the terms described in the above recitals.

Section 3. The Mayor, Business Administrator, and/or other necessary City officials and representatives are authorized to carry out all actions reasonably necessary to execute the Deed and all necessary or appropriate instruments to convey and effectuate the transfer of the aforesaid Property to the Agency.

Section 4. If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

Section 5. All Ordinances and part of Ordinances inconsistent herewith are hereby repealed.

Section 6. The City Clerk and the Corporation counsel are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of the Ordinance reveals that there is a conflict between those numbers and the existing code in order to avoid confusion and possible accidental repealers of existing provisions.

Section 7. A copy of this Ordinance shall be available for public inspection at the offices of the City Clerk.

Section 8. This Ordinance shall take effect as required by law.

BD  
2/16/17

APPROVED AS TO LEGAL FORM

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
Corporation Counsel

APPROVED: \_\_\_\_\_  
Business Administrator

Certification Required ☐

Not Required ☐

616709

**Ordinance FACT SHEET – NON-CONTRACTUAL**

This summary sheet is to be attached to the front of any Resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the Resolution.

**Full Title of Ordinance**

**AN ORDINANCE OF THE CITY OF JERSEY CITY IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY, AUTHORIZING THE TRANSFER OF CERTAIN CITY-OWNED REAL PROPERTY, IDENTIFIED ON THE TAX MAP OF THE CITY OF JERSEY CITY AS BLOCK 21504, LOT 6, TO THE JERSEY CITY REDEVELOPMENT AGENCY**

**Initiator**

Department/Division	Jersey City Redevelopment Agency	
Name/Title	David Donnelly, Executive Director	
Phone/email	201-761-0819, ddonnelly@jcnj.org	

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

**Ordinance Purpose**

Mayor Fulop and the executive director of the Liberty Science Center, Paul Hoffman, have forged a vision to create a transformative project near the Liberty Science Center. This project will consist of a K-12 school, a scientific business innovation center and a scholars' village. The City will transfer title to the Jersey City Redevelopment Agency (JCRA). The JCRA will then transfer the property to the designated developer for the SciTech Scity Redevelopment Project. The designated developer is a non-profit affiliate arm of the Liberty Science Center.

The JCRA has entered into a redevelopment agreement that includes certain restrictive covenants. Most importantly these restrictions include that title must be held by a non-profit in perpetuity, a reverter clause should the project not be completed in a timely manner in accordance with the redeveloper agreement and the entity must share future revenues with the City for the initial sale of the property for nominal consideration.

**I certify that all the facts presented herein are accurate.**

  
\_\_\_\_\_  
**Signature of Department Director**

2/13/2017

\_\_\_\_\_  
**Date**